



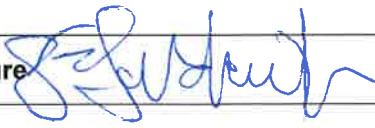


Planning & Development

Development Services Customer Service Center

One Exchange Plaza, Suite 400
Raleigh, North Carolina 27601
Phone 919-996-2495
Fax 919-516-2685

Administrative Alternate

Administrative Alternate Request	OFFICE USE ONLY
Section(s) of UDO affected: 3.4.9 (Build-to Frontage Requirements – Shopfront SH) Provide an explanation of the alternate requested, along with an applicant's statement of the findings Maintaining building separation from Duke Energy's Transmission Lines along West St Prevents the site from meeting the required "Build-To" requirements along the West St. corridor. Provide all associated case plan numbers including zoning and site plan:	Transaction Number

GENERAL INFORMATION		
Property Address 400 Hillsborough St		Date 02/17/2017
Property PIN 1703591309, 1703591364, 1703592333, 1703592431	Current Zoning DX-20-SH	
Nearest Intersection: Hillsborough St & West St		Property size (in acres) 1.01 Ac
BR Hillsborough Partners LLC & Tie One LLC	Phone 919-420-1700	Mail c/o Kilpatrick Townsend, 4208 Six Forks Road, Raleigh NC 28709
	Email SBarden@KilpatrickStockton.com	
Project Contact Joe Puckett	Phone 919-866-4829	421 Fayetteville St, #400 Raleigh, NC
	Email JPuckett@stewartinc.com	
Property Owner Signature 	Email SBarden@KilpatrickStockton.com	
Notary Sworn and subscribed before me this <u>15th</u> day of <u>March</u> , 20 <u>17</u>	Notary Signature and Seal  	



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Administrative Alternate Checklist

TO BE COMPLETED BY APPLICANT		YES	N/A
ADMINISTRATIVE ALTERNATE REQUIREMENTS			
1.	The property owner must be the applicant.	X	
2.	An application, signed by the property owner and notarized to that effect, is required.	X	
3.	The applicant must submit stamped envelopes addressed to the property owners within 100 feet of the subject property as indicated in Chapter 10.2 of the Unified Development Ordinance. City staff will mail the public hearing notices.	X	
4.	The applicant shall submit pertinent material necessary for review of the alternate; in addition to the submittal material required for a subdivision, plot plan or site plan. This may include architectural renderings, materials samples or other project-specific information.	X	

Administrative Alternate – Build-To 3.4.9.C.3

Summary

The following statement is offered in support of a request to approve an administrative alternate for the City of Raleigh UDO Sec. 3.4.9.C.3 'Build-To' requirements. The contributing factors of the site and adjacent Duke Energy Transmission line limit the properties ability to comply with the Build-To along West Street.

Build-To Intent

UDO Sec. 1.5.6.B.1 states that the intent of the 'Build-To' requirement is as follows:

1. The build-to is intended to provide a range for building placement that strengthens the street edge along the right-of-way, establishing a sense of enclosure by providing spatial definition adjacent to the street.
2. The building edge can be supplemented by architectural elements and certain tree plantings aligned in a formal rhythm. The harmonious placement of buildings to establish the street edge is a principal means by which the character of an area or district is defined.

Administrative Alternate Findings

The Planning and Development Officer may in accordance with Sec. 10.2.17. reduce the build-to requirements, subject to all of the following findings:

1. The approved alternate meets the intent of the build-to regulations;

Response: West Street has been designed to include an Amenity space between the streetscape and the building face. The Amenity space is designed with site walls and plantings to extend the "building edge" and strengthen the street edge along the right of way, thus establishing a sense of enclosure by providing spatial definition adjacent to the street.

2. The approved alternate conforms with the Comprehensive Plan and adopted City plans;

Response: The proposed Mixed Use building and outdoor amenity space conforms to the City's Comprehensive Plan, responding specifically to the Plan Elements enumerated below:

- a) **LU 1.1 Future Land Use – the use is consistent with the Land Use Map designation established for the site (mixture of residential and office uses).**
- b) **LU 2.1 Placemaking – the proposed outdoor amenity space will contribute to the goal of promoting healthy communities and active lifestyles by providing or encouraging enhanced pedestrian circulation**

3. The approved alternate does not substantially negatively alter the character defining street wall or establish a build-to pattern that is not harmonious with the existing built context;

Response: The site design has incorporated site walls and plantings along the outdoor amenity area to create a "street wall". While the building cannot create the "street wall" in this case due to the Duke Energy transmission line that travels along West Street to the substation just north of the powerhouse parking deck. The site walls, plantings and outdoor amenity space establish an edge desirable and vibrant street edge

4. The change in percentage of building that occupies the build-to area or increased setback does not negatively impact pedestrian access, comfort or safety; and

Response: The proposed alternate design for an outdoor amenity area facilitates desirable pedestrian circulation along the perimeter of the site, enhancing both the comfort and safety of the residents and their guests.

5. Site area that would have otherwise been occupied by buildings is converted to an outdoor amenity area under Sec. 1.5.3.B.

Response: In order to comply with the Build-To the building would have to be between the 0' and 15' away from the property line. In this case the transmission lines restrict where it

is possible to place the building. As proposed the outdoor amenity space would add encompass the first 22.3' between the right of way and building face. Therefore the amenity area fully occupies the area that building would otherwise have been placed.

In summary the outdoor amenity space proposed meets the intent and supports the findings as defined by the City of Raleigh UDO. The alternate proposed complies with the General Requirements for outdoor amenity space as further defined in Sec. 1.5.3.C noted below:

General Requirements

☐ 1. Where outdoor amenity area is required, it must be provided on-site and must be available for use by or as an amenity for the occupants, invitees and guests of the development.

Response: YES

☐ 2. All required outdoor amenity areas must be ADA accessible.

Response: YES

☐ 3. Required outdoor amenity area may be met in 1 contiguous open area or in multiple open areas on the lot; however, to receive credit, each area must be at least 10 feet in width and length.

Response: YES

☐ 4. Required outdoor amenity area may be located at or above grade.

Response: YES – the proposed space is entered by an accessible on-grade sidewalk and is elevated above and overlooking the adjacent streetscape.

☐ 5. Required outdoor amenity area cannot be parked or driven upon, except for emergency access and permitted temporary events.

Response: YES

☐ 6. In all other districts except DX-, required outdoor amenity area may be covered but cannot be enclosed.

Response: YES, the amenity area is not covered due to DX zoning.

☐ 7. Above-ground stormwater detention facilities shall not be considered an outdoor amenity area.

Response: YES, a small below ground device is including in the southern amenity area.

☐ 8. Tree Conservation areas shall not be considered an outdoor amenity area.

Response: YES, TCA is not proposed with this project and therefore not in the amenity area.



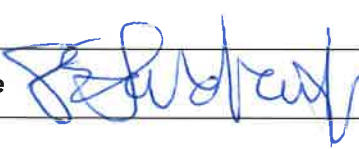


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Administrative Alternate

Administrative Alternate Request	OFFICE USE ONLY
<p>Section(s) of UDO affected: 3.3.3b</p> <p>Provide an explanation of the alternate requested, along with an applicant's statement of the findings : The minimum setback along Harrington Street is not met between the 3rd and 8th floor, but the building is overly compliant on the three other sides to meet the intent of the building massing code. Provide all associated case plan numbers including zoning and site plan: SR-9-17</p>	<p>Transaction Number</p>

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	Email jpuckett@stewartinc.com	
Property Owner Signature 	Email SBarden@KilpatrickStockton.com	
Notary Sworn and subscribed before me this <u>1st</u> day of <u>March</u> , 20 <u>17</u>	Notary Signature and Seal  	



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Administrative Alternate – Building Massing 3.3.3

Summary

The current stepback requirements for building massing standards requires a 15'-0" stepback between the 3rd and 7th story for all street frontages. A different configuration for this project is proposed that includes more significant stepbacks on the East and West with not stepping back on the North and South as well as stepping back after the 8th story. The massing solution proposed meets the intent of the regulations by providing more access to light and air at the street level, maintaining a consistent street scale, and visually reducing the perceived scale of the building.

Administrative Alternate Findings

The Planning and Development Officer may in accordance with Sec. 10.2.17. approve an alternate building massing standard, subject to all of the following findings:

1. The approved alternate meets the intent of the building massing regulations.

- a. Project proposes to stepback the building significantly beyond the 15' requirement in two orientations while not stepping back in the other two. See diagram on sheet Z3.101 comparing the zoning baseline to the proposed building.
- b. The proposed stepbacks are located between 36'-4" and 42'-0" above the West Street Façade (top of Level 3) and 116' above the Harrington / Hillsborough Street Façade (top of Level 8). While this occurs on the 8th floor (only one above the required) of the building as indicated in the elevations, the floor to floor height is lower on Levels 02-03 as they are parking levels and are shorter than typical floor heights. See plan and elevation diagrams on sheet Z3.101 and Z3.102
- c. Stepback from West Street is 52'-6" horizontally along the entire block, reducing the scale perception from the street and becoming a transitional element from the West of downtown as one moves from lower rise scaled buildings towards the taller downtown districts. The stepback from Harrington / Hillsborough Street is 45'-6" / 126'-9" respectively. See plan and elevation diagrams on sheet Z3.101 and Z3.102
- d. In addition to the volumetric stepbacks, the proposed design provides a strong datum created at level 03 that responds to the context of the surrounding neighborhood of existing 2-3 story buildings and reinforces in the importance of the pedestrian scale and experience with multiple secondary and tertiary points of reference through materials, canopies, and storefront. See elevation diagrams on sheet Z3.102.
- e. The residual tower footprint is 21,039 GSF which is 16% smaller than the maximum allowable tower size of 25,000 GSF. See diagram on sheet Z3.101.
- f. The total area of stepbacks based on minimum UDO requirements for our site (15' stepback) is 11,567 SF. Utilizing the maximum tower area of 25,000 SF, the total stepback minimum area is 18,044 SF. The project proposes a total stepback area of 21,182 SF. This is 183% more (nearly double) than the required zoning

minimum setback and 117% more than the total stepback based on largest allowable tower footprint. See diagrams on sheet Z3.101.

g. See attached diagram on sheet Z3.101, Z3.102, and Z3.103

2. The approved alternate conforms with the 2030 Comprehensive Plan and adopted City plans.

- a. We have included a select grouping of examples from the Comprehensive Plan policies that the new development conforms to:
 - i. The property is designated "Central Business District" on the Future Land Use Map, and this category "is intended to enhance Downtown Raleigh as a vibrant mixed use urban center. The category recognizes the area's role as the heart of the city, supporting a mix of high-intensity office, retail, housing, government, institutional, visitor-serving, cultural, and entertainment uses." The proposed development is consistent with this guidance, confirmed by the remapping action that deemed the request to be consistent with the Future Land Use Map and the Comprehensive Plan.
 - ii. Policy DT 7.15 "Downtown Gateways" states "Prominent gateways into downtown such as South Saunders Street south of the intersection with South Street, Edenton Street at Bloodworth and East streets, Morgan and Hillsborough streets at St. Mary's Street, and Capital Boulevard by the train tracks at Peace Street, shall be enhanced to create a sense of arrival and define the geographic boundaries of downtown." The proposed development will be highly visible to those entering downtown from the North (along Capitol Blvd) and from the West (Along Hillsborough Street), and the proposed building enhances the area between the warehouse district, capitol district, and glenwood districts, becoming an important connection element filling in downtown Raleigh.
 - iii. Table LU-2 Recommended Height Designations – Based on Central Business District designation on Future Land Use Map and location within a Core/Transit area on the Urban Form Map, the Comprehensive Plan supports height of up to 40 stories on the property. The proposed design for a 20-story building supports the current zoning and is consistent with the Comprehensive Plan by "tapering down" as the building elevations is read from East (CBD) to West (towards NCSU and Cameron Village).
 - iv. Policy LU 4.7 "Capitalizing on Transit Access", which states "Sites within a half-mile of planned and proposed fixed guideway transit stations should be developed with intense residential and mixed-uses to take full advantage of and support the City and region's investment in transit infrastructure." The proposed development is located one-quarter mile up West Street from the City's major transit hub, and the proposed development is of a size, scale,

height and density so as to support the City's investment in the transit infrastructure.

3. If the approved alternate uses a change in building materials to mimic a change in wall plane, the most substantial and durable building materials are located at the bottom floors of the building.

- a. The base of the building is delineated using two sets of volumes defined by a series of durable materials including: Metal Panel, Resinous Wood Paneling, Masonry, Fiber Cement Panels, and Storefront. These materials establish a clearly defined base from the ground up to level 03 (compliant with UDO 3.3.3) to create a building that reinforces the pedestrian scale and relates to the surrounding context of 2-3 story buildings. A change in materials occurs on the tower of building (Levels 04-20) utilizing a system of glass and metal framing. See elevations on sheet Z3.102 and Z3.103.

4. If the approved alternate proposes a building setback behind the sidewalk in lieu of a required stepback, the resulting open space includes public amenities such as seating areas, trees and landscaping or outdoor dining.

- a. The building utilizes an additional 19'-0" of setback along the entire West Street façade as a portion of our required 10% Open Amenity Space (UDO 1.5.3) adding more access to light and air to the ground and enhancing the pedestrian experience along West Street.

5. The building contains architectural treatments for delineating the base, middle and top of the building.

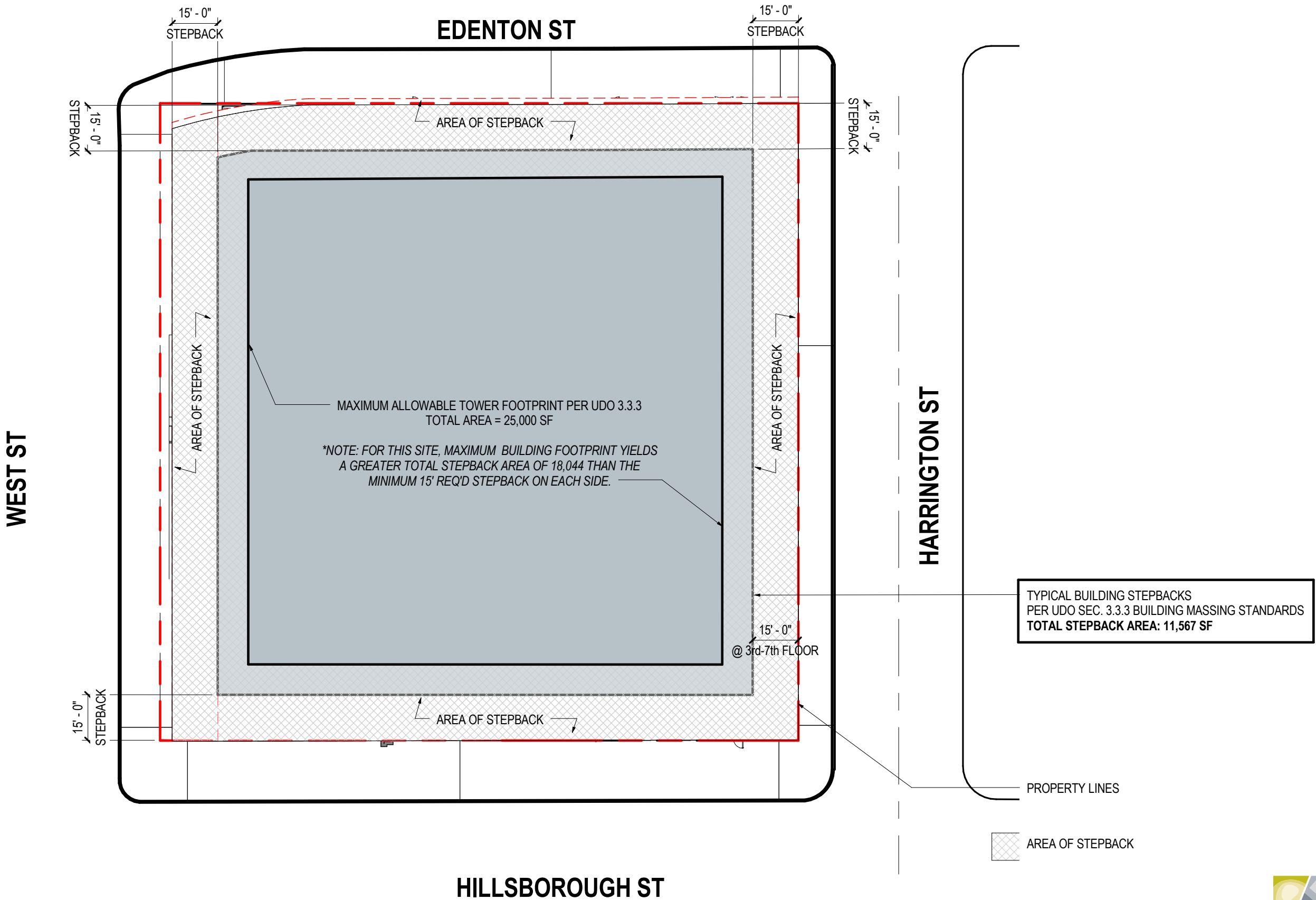
- a. The building is delineated with a:
 - i. **Base**; utilization of durable materials including metal panel, fiber cement panels resinous wood panels, masonry, and storefront up to the top of Level 03
 - ii. **Middle**; use of glass window wall and metal framing
 - iii. **Top**; use of metal panels infilled to metal framing that are stepped back additionally from the middle tower portion to create a sense of lightness and delicate termination as the building meets the sky.

400 *Hillsborough Street*

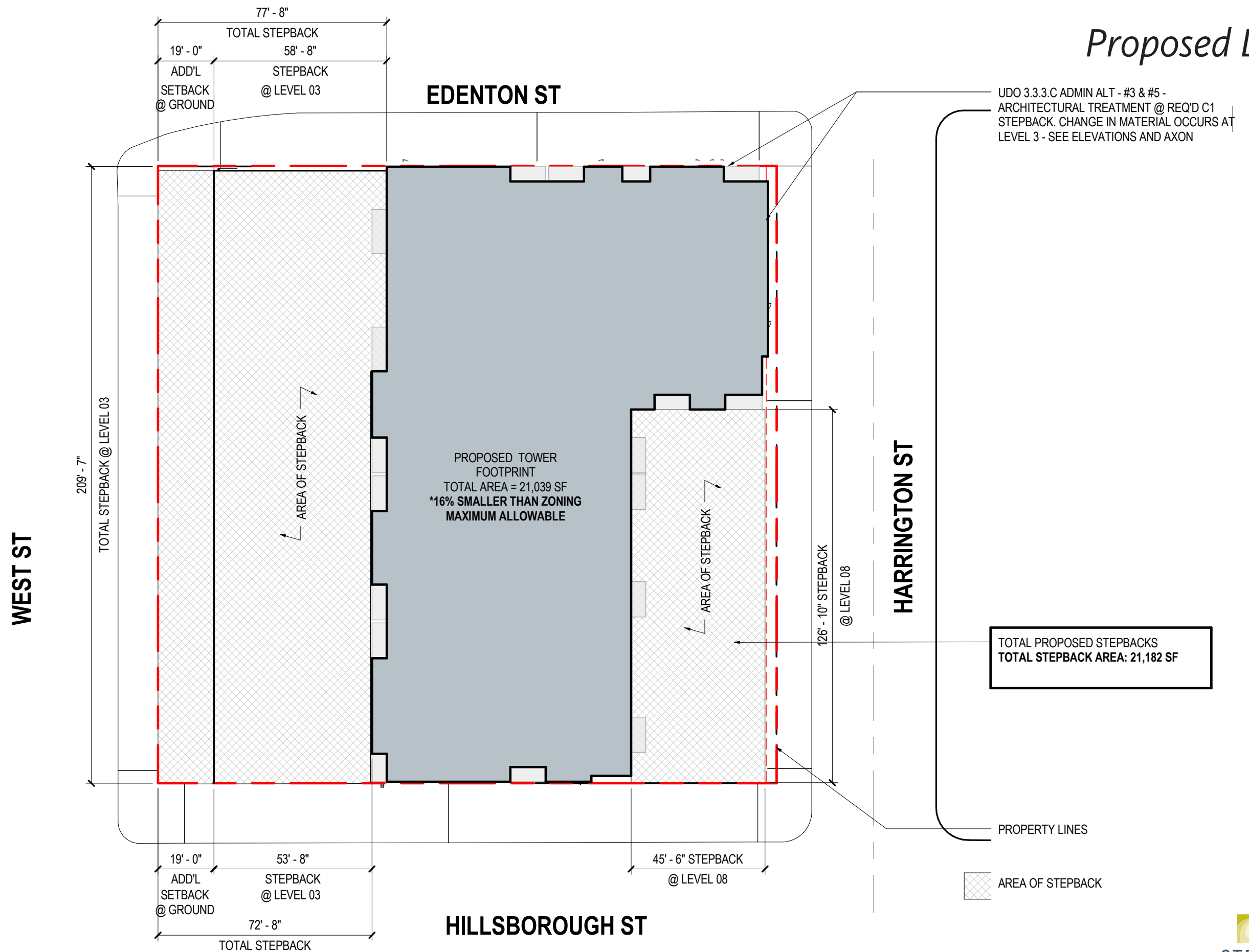


ADMINISTRATIVE ALTERNATE FINDINGS
2017.03.02

Building Massing 3.3.3



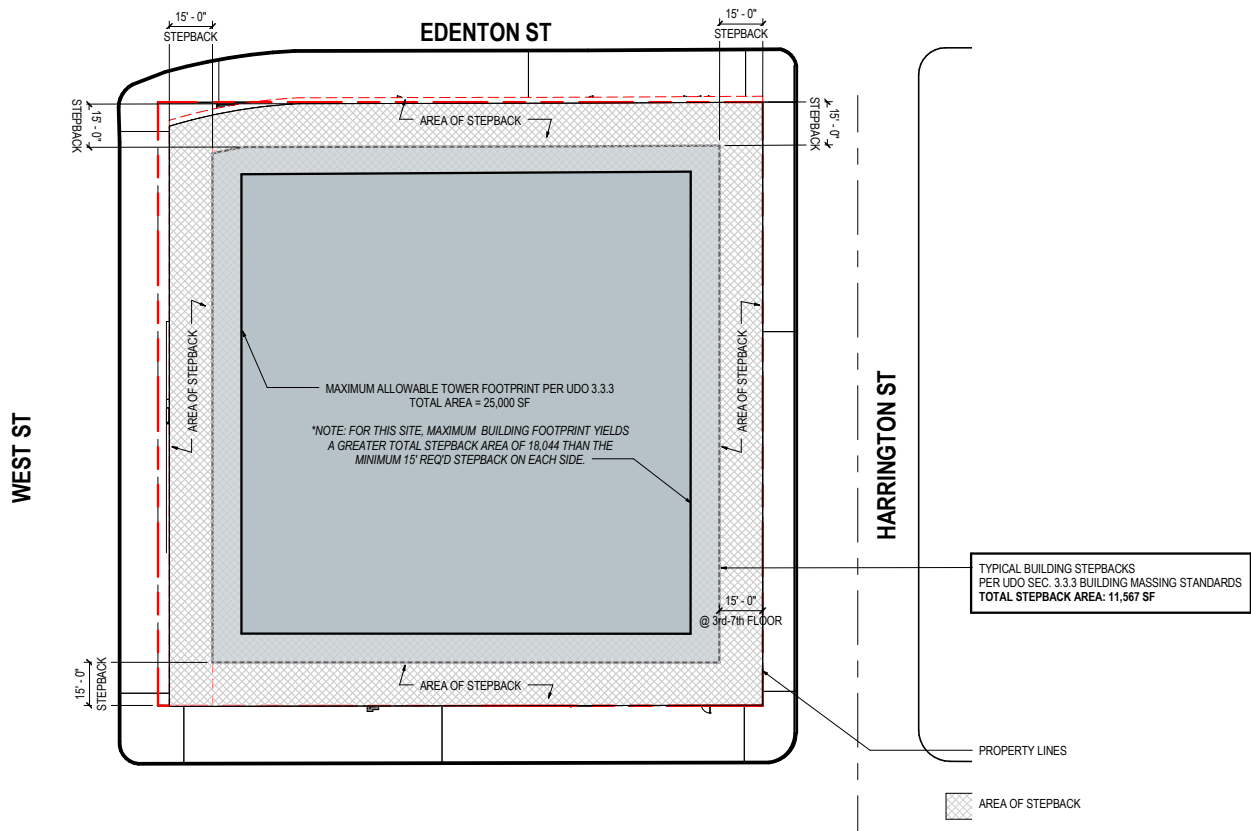
Proposed Design



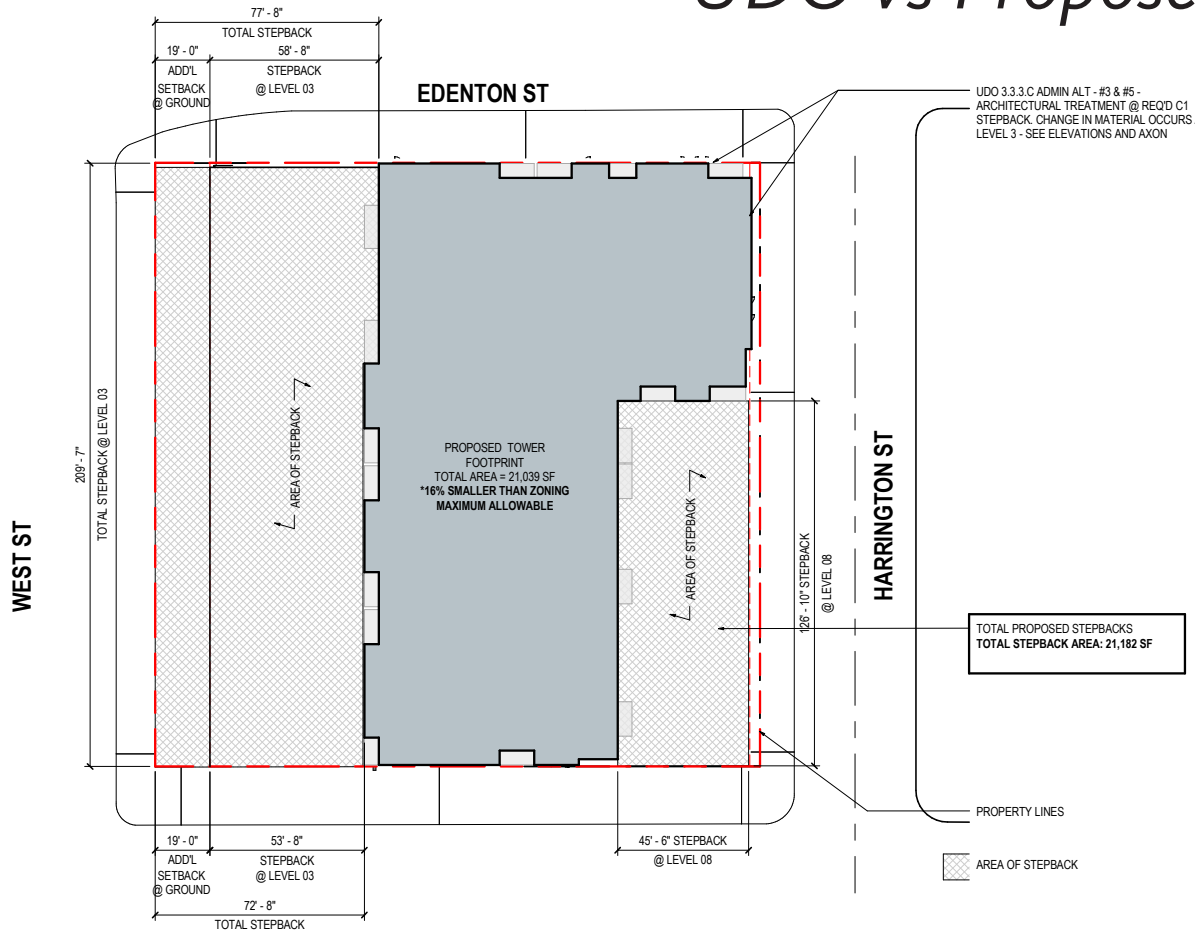
ADMINISTRATIVE ALTERNATE FINDINGS

2017.03.02

UDO vs Proposed Design



UDO Baseline



Proposed Design

ADMIN ALTERNATE FINDINGS:

BUILDING STEPBACKS

PER UDO SEC. 3.3.3 BUILDING MASSING STANDARDS

MIN UDO REQ'D STEPBACK (15') 11,567 SF

MIN UDO REQ'D STEPBACK AREA (BASED ON MAX ALLOWABLE TOWER AREA: 18,044 SF

PROVIDED STEPBACK AREA: 21,182 SF*

***183% MORE STEPBACK AREA THAN THE MINIMUM STEPBACK REQUIREMENT AND 117% MORE STEPBACK AREA THAN ZONING MINIMUM ALLOWING MORE LIGHT AND AIR TO THE STREET THAN THE MINIMUM UDO REQUIREMENTS**

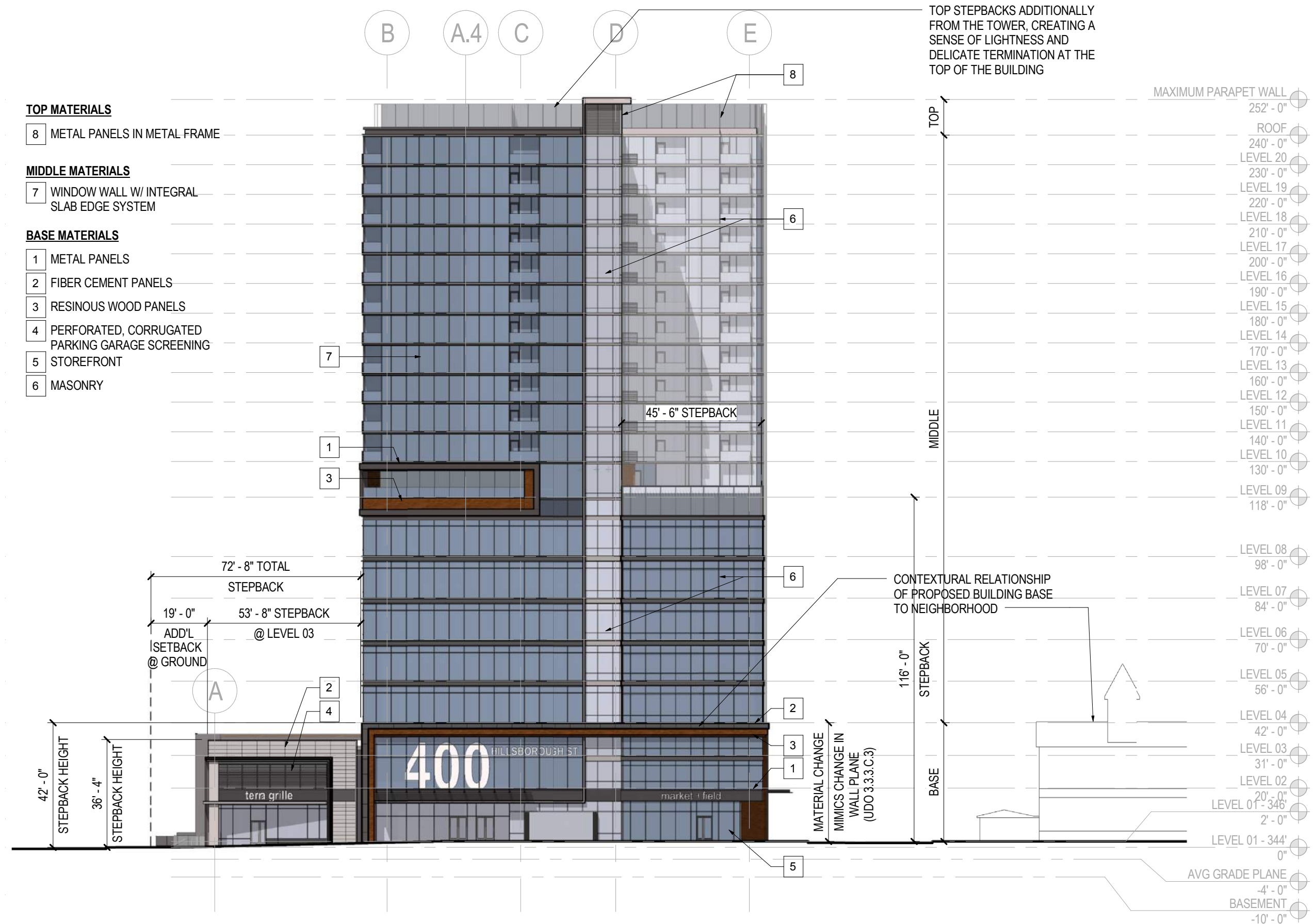
TOWER FOOTPRINT

MAXIMUM UDO FOOTPRINT: 25,000 SF

PROVIDED TOWER FOOTPRINT: 21,039 SF

***16% SMALLER THAN ZONING MAXIMUM ALLOWABLE ALLOWING MORE LIGHT AND AIR TO THE STREET THAN THE MAXIMUM UDO REQUIREMENTS**

Elevation
Hillsborough St



*Note: Conceptual Design Plan Subject to Final Drawings

ADMINISTRATIVE ALTERNATE FINDINGS
2017.03.02

Elevation West St

TOP MATERIALS

8 METAL PANELS IN METAL FRAME

MIDDLE MATERIALS

7 WINDOW WALL W/ INTEGRAL SLAB EDGE SYSTEM

BASE MATERIALS

1 METAL PANELS

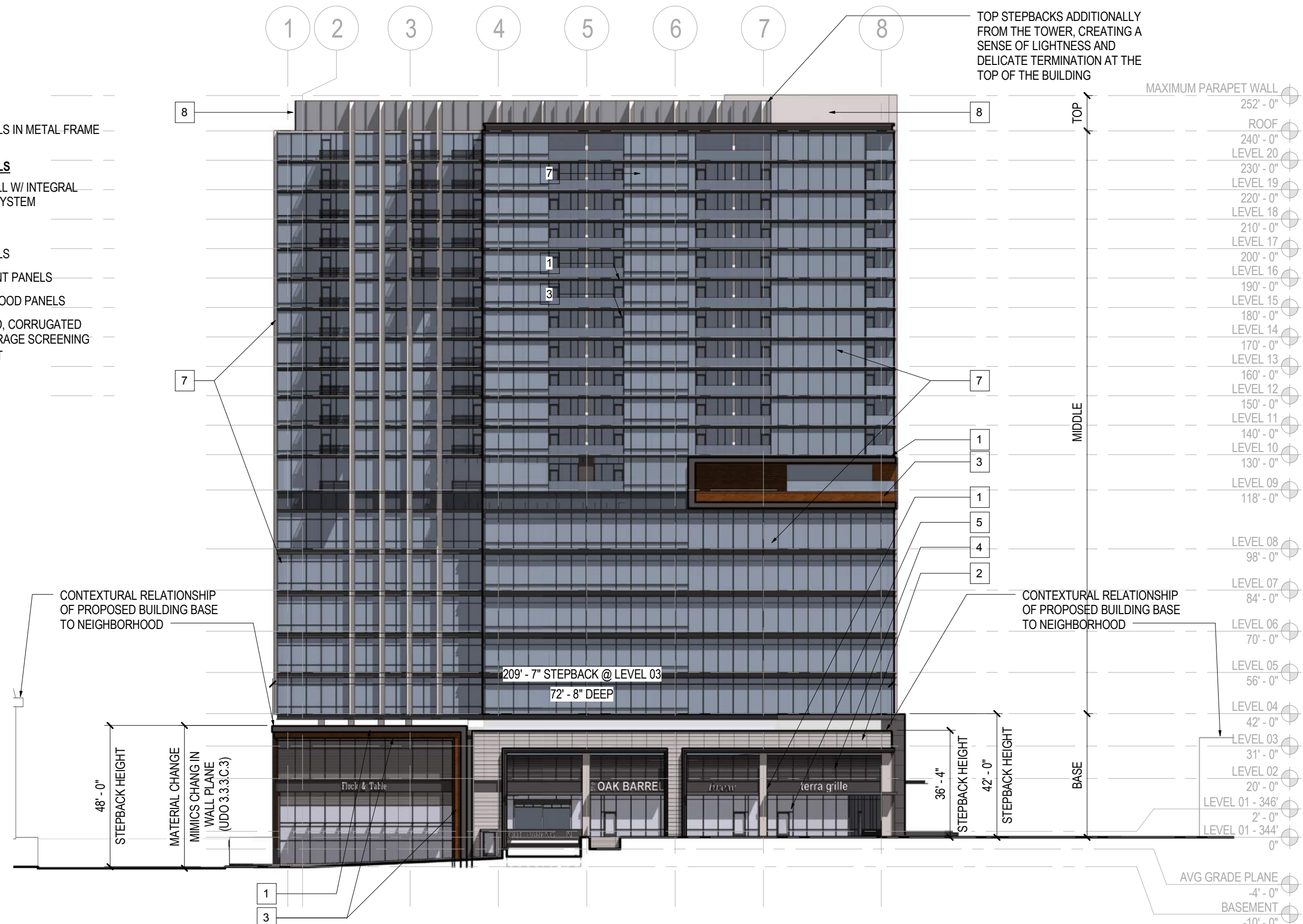
2 FIBER CEMENT PANELS

3 RESINOUS WOOD PANELS

4 PERFORATED, CORRUGATED PARKING GARAGE SCREENING

5 STOREFRONT

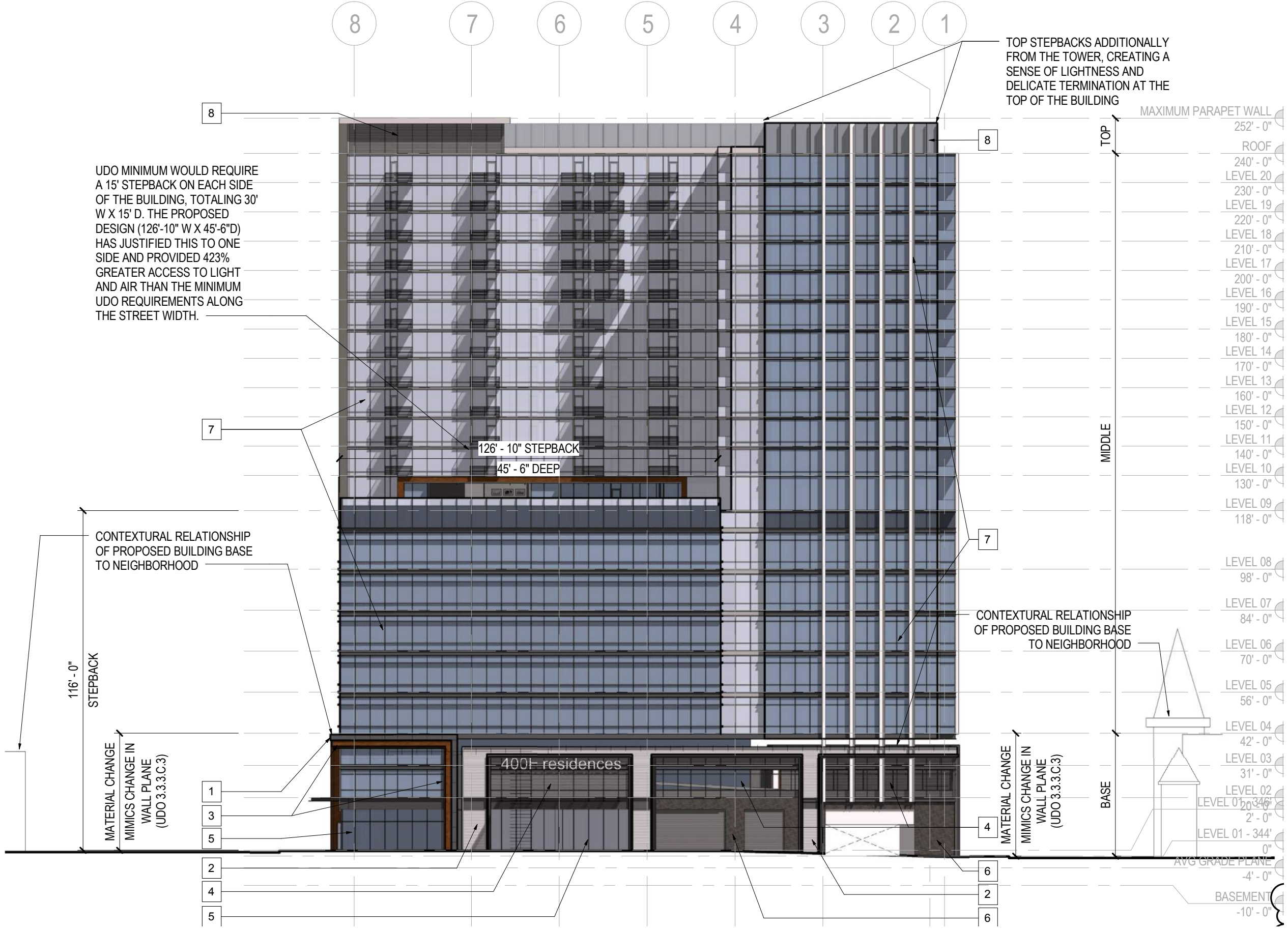
6 MASONRY



*Note: Conceptual Design Plan Subject to Final Drawings

ADMINISTRATIVE ALTERNATE FINDINGS
2017.03.02

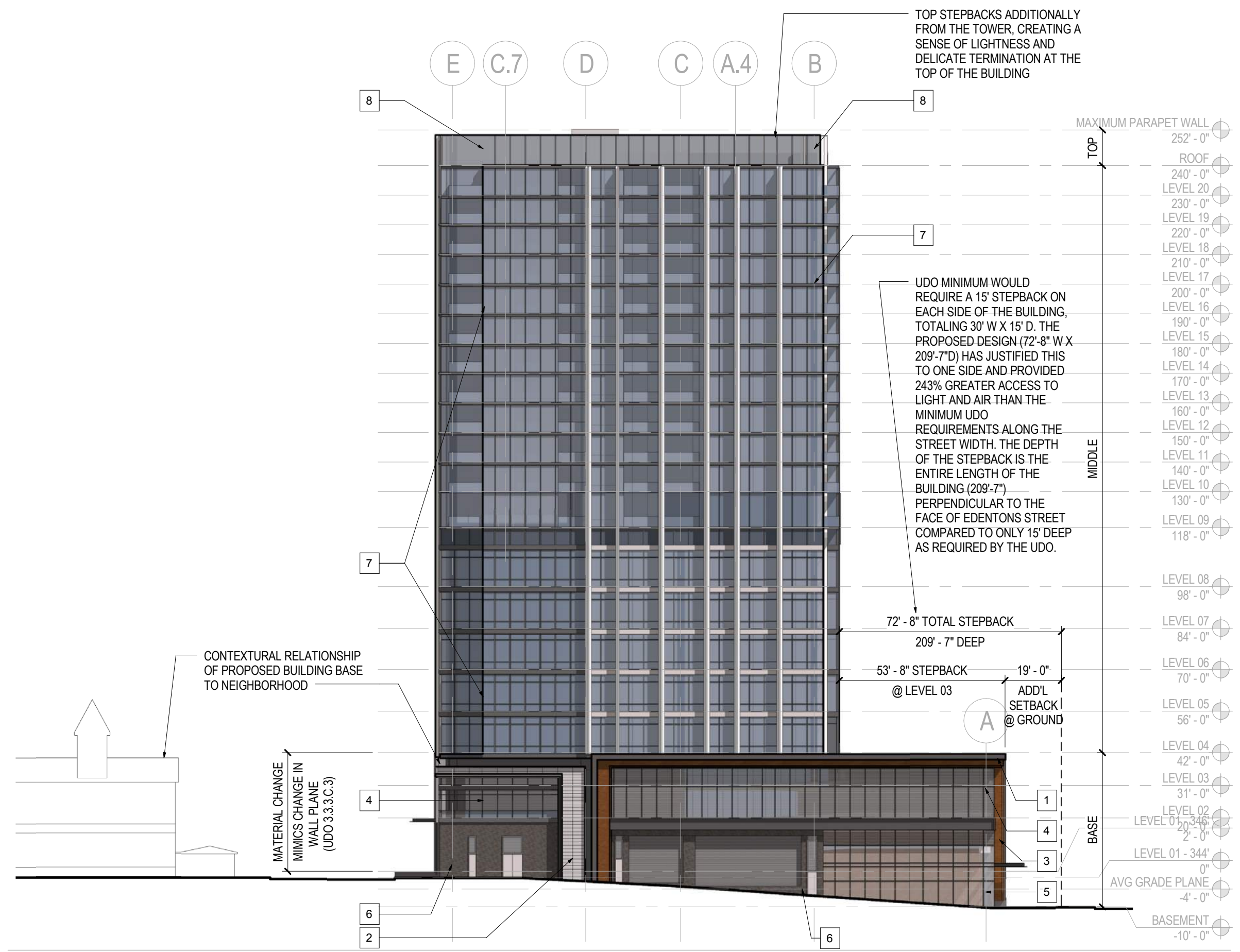
Elevation Harrington St



*Note: Conceptual Design Plan Subject to Final Drawings

Elevation

Edenton St



*Note: Conceptual Design Plan Subject to Final Drawings

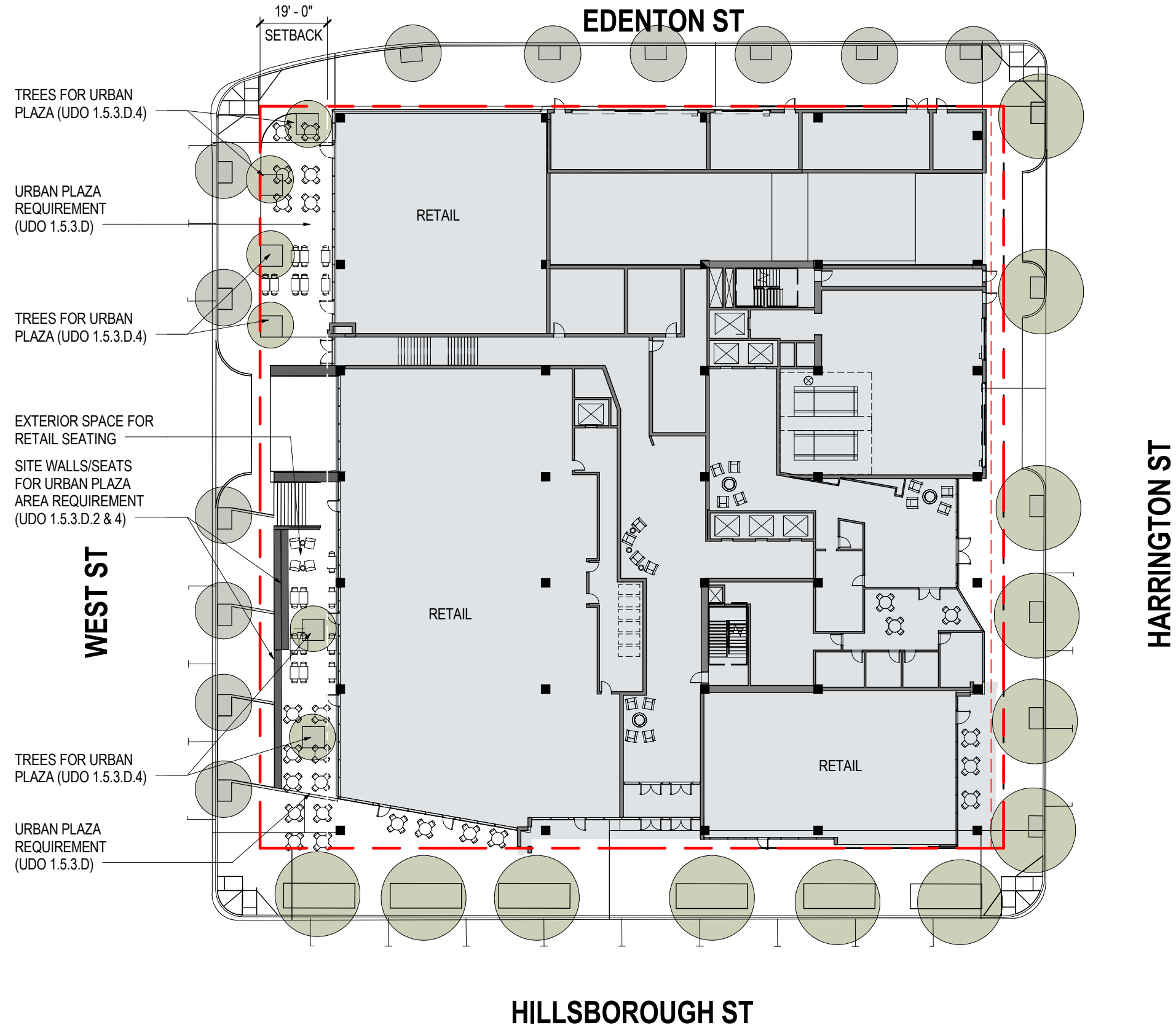


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Building Build-to 3.4.9.C.3





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